

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XIAOCHUN GAO,

Plaintiff,

-against-

SAVOUR SICHUAN INC. et al.,

Defendants.

ORDER

KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

On August 11, 2021, the Court issued an oral ruling granting in part and denying in part Plaintiff's motion for conditional collective certification. (See ECF Nos. 89, 90, 92.) On August 18, 2021, Plaintiff submitted a revised Notice of Pendency based on the Court's ruling. (ECF No. 94.) The Notice is properly addressed only to former non-managerial employees employed from March 21, 2016 to May 19, 2019 by: (1) Savour Sichuan Inc.; and (2) La Vie En Szechuan Restaurant Corp. (*Id.*) However, Plaintiff's Notice broadly refers to "Defendants" throughout the document. (See *id.* at 1-2.) Given that there are numerous named Defendants in this case and that the Court has limited the collective to those non-managerial employees that worked at only two of the Defendants, the current Notice, as written, is ambiguous.

Accordingly, by August 23, 2021, Plaintiff must submit a revised Notice of Pendency replacing the term "Defendants" with "Defendants Savour Sichuan Inc. and La Vie En Szechuan Restaurant Corp."

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19-CV-2515 (JPC)(KHP)

SO ORDERED.

Dated: New York, New York
August 19, 2021

Katharine H Parker

KATHARINE H. PARKER
United States Magistrate Judge